

**REMARKS/ARGUMENTS**

Claims 1, 2, 5, and 7-9 are pending in this application. Claims 1, 2 and 9 are independent. Claims 1, 2, 7, and 9 are amended. Applicant respectfully requests the reconsideration and allowance of all pending claims in view of the following remarks.

**OBJECTIONS TO THE SPECIFICATION**

On page 3, the Office Action points out errors in the specification. Applicant is unable to locate the errors identified in paragraphs [0070] and [0072]. Specifically, the following language in paragraph [0070] quoted by the Examiner, "to blood is on for many are with you to be in possession of commodity to broker who can enter the transactions space either through subscription or across membership enters the network looking for a seller of commodity to," does not exist in the specification. Furthermore, the following language in paragraph [0072] quoted by the Examiner, "and they bought a possible science, that do not easily translate into dollar or a correlated value," does not exist in the specification.

**OBJECTIONS TO THE CLAIMS**

On page 4, the Office Action objects to the claims 7 and 9 for informalities. In response, Applicant amends claims 7 and 9 in accordance with the Examiner's suggestion. For at least the forgoing reasons, Applicant respectfully requests that the objection to claims 7 and 9 be withdrawn.

**REJECTION UNDER 35 U.S.C. §112**

In Sections 5-6, on page 4, the Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Applicant respectfully submits that claim 1, as amended, resolves the issues detailed in the rejection. Thus, Applicant respectfully requests withdrawal of the rejection of claim 1 under 35 U.S.C. §112, second paragraph.

**REJECTION UNDER 35 U.S.C. §102**

In sections 7 and 8 on pages 4-6, the Office Action rejects claim 9 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Publication No. 2002/0052788 to Perkes et al. (hereinafter “Perkes”).

Independent claim 9 recites “said executable instructions on said computational device including a filter that verifies that said first asset does not include any relationship to currency” (emphasis added).

Applicant respectfully submits that Perkes fails to disclose, teach, or suggest the above-quoted subject matter. The device in Perkes describes a transaction system used to redeem media coupons for media. See Paragraphs [0025] and [0034]. “The number of credits/coupons currently available for use by the User may be shown as Dollar-Bill Icon that are stacked together to form a pile of Dollar Bill Icons, where each Icon may be worth 1 credit or 1 coupon, for example. As the user views content by cashing in his/her credits

or coupons, the stack of Dollar Bills on the status bar starts to drop, based on the credit/coupon cost.” Id.

Although the coupons and media are non-currency assets, the system does not verify the data in the system is not currency. A system that happens to be designed to exchange assets that are not related to currency does not inherently have a filter that verifies that such assets do not have a relationship to currency.

As amended, independent claim 9 further recites “correlates said first data representational of said first asset to a set of second data that is representational of a second non-currency asset based on a valuation of said first and second data representational of said respective first and second asset; wherein asset valuation is based on the configuration of said first and second asset” (emphasis added). This subject matter finds support in the specification in, for example, paragraph [0041].

As described in paragraph [0041], “The VPE allow entities to value (valuation) and/or guarantee or secure each commodity in the transaction or valuation, based on the VPE(s) configuration.”

Applicant respectfully submits that Perkes fails to disclose, teach, or suggest the above-quoted subject matter. The device in Perkes describes equating coupon units to pay-per-view time. See Paragraphs [0025], [0034]. “the number of credits/coupons currently available for use by the User may be shown as Dollar-Bill Icon that are stacked together to form a pile of Dollar Bill Icons, where each Icon may be worth 1 credit or 1 coupon, for example.

As the user views content by cashing in his/her credits or coupons, the stack of Dollar Bills on the status bar starts to drop, based on the credit/coupon cost.” Id.

Applicant respectfully agrees with the Examiner’s statement that the participating retailer sets cost of viewing pay-per-view content for a particular coupon value. However, this simple merchant-based exchange of coupons for pay-per-view does not perform a valuation of the coupon and pay-per-view times based on their configuration; and subsequently correlate these respective assets based on the valuation performed.

Accordingly, Applicant respectfully submits that Perkes fails to disclose, teach, or suggest “said executable instructions on said computational device including a filter that verifies that said first asset does not include any relationship to currency...correlates said first data representational of said first asset to a set of second data that is representational of a second non-currency asset based on a valuation of said first and second data representational of said respective first and second asset; wherein asset valuation is based on the configuration of said first and second asset” as recited in independent claim 9.

Independent claim 9 is therefore allowable on based at least on the failure of Perkes to disclose this subject matter. Therefore for the foregoing reasons, independent claim 9 is allowable in light of the reference of record. For at least the foregoing reasons, Applicant respectfully requests that the rejection of claims 9 under 35 U.S.C. §102(b) be withdrawn.

**REJECTION UNDER 35 U.S.C. §103**

In sections 9 and 10 on pages 6-8, the Office Action rejects claims 2, 5 and 7-8 as allegedly unpatentable under 35 U.S.C. §103(a) over Parkes in view of Official Notice (“ON”).

Independent claim 1 recites, “verifying through a set of executable instructions on one or more said computational devices that said catalog of assets is not currency...verifying that said second set of assets represented in electronic form is not currency” (emphasis added).

Applicant respectfully submits that Perkes fails to disclose, teach, or suggest the above-quoted subject matter. The device in Perkes describes a transaction system used to redeem media coupons for media. See Paragraphs [0025], [0034]. “the number of credits/coupons currently available for use by the User may be shown as Dollar-Bill Icon that are stacked together to form a pile of Dollar Bill Icons, where each Icon may be worth 1 credit or 1 coupon, for example. As the user views content by cashing in his/her credits or coupons, the stack of Dollar Bills on the status bar starts to drop, based on the credit/coupon cost.” Id.

Although the coupons and media are non-currency assets, the system does not verify the data in the system is not currency. A system that happens to be designed to exchange assets that are not related to currency does not inherently have a filter that verifies that such assets do not have a relationship to currency.

Applicant respectfully submits that it is not well known in the art to disclose, teach, or suggest the claimed subject matter quoted above.

Accordingly, Applicant respectfully submits that Perkes in view of ON fail to disclose, teach, or suggest “verifying through a set of executable instructions on one or more said computational devices that said catalog of assets is not currency...verifying that said second set of assets represented in electronic form is not currency,” as recited in independent claim 2.

As amended, independent claim 2 further recites “wherein any number of asset types may be added to correlate to said first set of assets, and whereby said first set of assets has a non-currency investment value” (emphasis added). This subject matter finds support in the specification in, for example, paragraph [0044].

As described in paragraph [0044], “The VPE can include various types of leveraged or intangible assets, such as options, futures, rights, etc.”

Applicant respectfully submits that Perkes fails to disclose, teach, or suggest the above-quoted subject matter. The device in Perkes is able to equate any set value of pay-per-view time to a coupon or credit. See paragraph [0040]. This allows the device in Perkes to correlate any amount of the same type of media to a coupon or credit. However, there is no ability in the device in Perkes to include various types of media or otherwise to be exchanged for an equivalent coupon or credit.

Applicant respectfully submits that it is not well known in the art to disclose, teach, or suggest the claimed subject matter quoted above.

Accordingly, Applicant respectfully submits that Perkes in view of ON fail to disclose, teach, or suggest “wherein any number of asset types may be added to correlate to said first set of assets, and whereby said first set of assets has a non-currency investment value,” as recited in independent claim 2.

Independent claim 2 is therefore allowable on based at least on the failure of Parkes in view of ON to disclose this subject matter.

Therefore for the foregoing reasons, independent claim 2 is allowable in light of the reference of record. Claims 5, 7, and 8 depend from allowable claim 2. Therefore, claims 5, 7, and 8 are allowable based at least upon their dependencies.

For at least the foregoing reasons, Applicant respectfully requests that the rejection of claims 2, 5, 7, and 8 under 35 U.S.C. §103(a) be withdrawn.

In section 11 on pages 8-11, the Office Action rejects claim 1 as allegedly unpatentable under 35 U.S.C. §103(a) over Parkes in view of U.S. Patent No. 7,104,443 to Paul et al. (hereinafter “Paul”).

Independent claim 1 recites, “a module for verifying that said at least one set of owned assets are other than currency” (emphasis added).

Applicant respectfully submits that Perkes fails to disclose, teach, or suggest the above-quoted subject matter. The device in Perkes describes a transaction system used to redeem media coupons for media. See Paragraphs [0025], [0034]. “the number of credits/coupons currently available for use by the User may be shown as Dollar-Bill Icon that are stacked together to form a

pile of Dollar Bill Icons, where each Icon may be worth 1 credit or 1 coupon, for example. As the user views content by cashing in his/her credits or coupons, the stack of Dollar Bills on the status bar starts to drop, based on the credit/coupon cost.” Id.

Although the coupons and media are non-currency assets, the system does not verify the data in the system is not currency. A system that happens to be designed to exchange assets that are not related to currency does not inherently have a filter that verifies that such assets do not have a relationship to currency.

Applicant respectfully submits that Paul fails to disclose, teach, or suggest the claimed subject matter quoted above. Although the system in Paul does disclose verification features, these features are used for security, not to verify if an asset has a relationship to currency. See Column 13, Lines 45-65.

Accordingly, Applicant respectfully submits that Perkes and Paul fail to disclose, teach, or suggest “a module for verifying that said at least one set of owned assets are other than currency,” as recited in independent claim 1.

Independent claim 1 is therefore allowable on based at least on the failure of Parkes and Paul to disclose this subject matter. Therefore for the foregoing reasons, independent claim 1 is allowable in light of the reference of record. For at least the foregoing reasons, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. §103(a) be withdrawn.



**CONCLUSION**

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further statements or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-3068 and please credit any excess fees to such Deposit Account.

Respectfully submitted,  
**Dort Patent, Professional Corp.**

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